

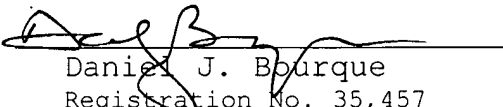
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Bulk et al.
Serial No. : T/B/A
Filed : Herewith
For : Hearing Aid or Hearing Aid Components
for Placement in the Auditory Canal
and/or the Auricle of a Wearer
Attorney's Docket : THIELK-029XX
Examiner :
Group Art Unit :

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on February 20, 2004

Express Mail # EV 299464800WS.

By


Daniel J. Bourque
Registration No. 35,457
Attorney for Applicant(s)

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97 and 1.98

Commissioner for Patents
Washington, D.C. 20231

Sir:

CONTENT OF INFORMATION DISCLOSURE STATEMENT 37 CFR 1.98

Pursuant to 37 CFR 1.98(a), this Information Disclosure Statement includes PTO Form 1449 listing all patents, publications, applications, or other information submitted for consideration by the Office and a copy of each patent, publication, application, or other information.

In re: Bulk et al.
Filed: herewith
Serial No.: T/B/A
Page 2

FILING OF INFORMATION DISCLOSURE STATEMENT 37 CFR 1.97

Filed Under 37 CFR 1.97(b)

[x] Pursuant to 37 CFR 1.97(b), this Information Disclosure Statement is being filed within (1) three months of the filing date of the above identified application, (2) within three months of the entry of the national stage of the above identified application, (3) before the mailing date of the first office action on the merits, or (4) before the mailing date of the first office action after the filing of a request for continued examination under 37 C.F.R. § 1.114. Accordingly, applicant(s) submits that no fee or certification is required.

Filed Under 37 CFR 1.97(c)

[] Pursuant to 37 CFR 1.97(c), this Information Disclosure Statement is being filed after the period specified in 37 CFR 1.97(b) and before the mailing date of any of a final action, a notice of allowance, or an action that otherwise closes prosecution in the application. Accordingly, applicant(s) submits either a Statement Under 37 CFR 1.97(e) or the fee set forth in 37 CFR 1.17(p), as indicated below.

In re: Bulk et al.
Filed: herewith
Serial No.: T/B/A
Page 3

Filed Under 37 CFR 1.97(d)

[] Pursuant to 37 CFR 1.97(d), this Information Disclosure Statement is being filed after the period specified under 37 CFR 1.97(c) and on or before payment of the issue fee. Accordingly, applicant(s) submits both a Statement Under 37 CFR 1.97(e) and the fee set forth in 37 CFR 1.17(p), as indicated below.

In re: Bulk et al.
Filed: herewith
Serial No.: T/B/A
Page 4

STATEMENT UNDER 37 CFR 1.97(e)
(check one)

[] The undersigned submits that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

[] The undersigned submits that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the information disclosure statement.

FEE SET FORTH IN 37 CFR 1.17(p)

[] The information disclosure statement fee of \$180.00 set forth in 37 CFR §1.17(p) is enclosed herewith.


In re: Bulk et al.
Filed: herewith
Serial No.: T/B/A
Page 5

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 02-3285.

Respectfully submitted,

Bulk et al.

By


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Date: 2-22-04

Section 2. Form PTO - 1449 (Modified)

FORM PTO-1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE				Atty. Docket No. THIELK-029XX		Serial No. T/B/A	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) (37 CFR 1.98 (b))						Applicants Bulk, et al.			
						Filing Date Herewith		Group	

U.S. PATENT DOCUMENTS											
EXAMINERS INITIALS		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE				
		5 5 3 0 7 6 3	6/25/96	Aebi et al.	381	69					
		6 1 2 0 5 8 7	9/19/2000	Elfersy et al.	106	18.35					

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION											
		DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION YES NO				
	DE1	9 9 3 4 2 2 5	26.04.01	Germany	1	50	X				
	DE	3 7 1 3 5 7 8	26.05.88	Germany	27	34	X				
	DE	4 1 1 8 1 8 4	10.12.92	Germany	201	04	X				
	WO	0 1 0 0 0 2 1	04.01.01	WIPO	25	10					
	WO	0 1 4 3 5 0 0	14.06.01	WIPO	25	00					
	EP	0 5 9 0 7 4 6	24.09.93	EPO	1	50					
	EP	0 5 8 0 7 2 8	13.04.92	EPO	59	16					
	EP	0 5 6 5 5 6 3	03.01.92	EPO	265	04					

OTHER DOCUMENTS (Including Author, Title, Date**, Relevant Pages, Place of Publication***)	
	International Search Report for PCT/EP 03/ 03165

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.